

JS 44C/SDNY
REV. 06/01/17**CIVIL COVER SHEET**

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

Margarita Gonzalez, Yudelky Contreras, Carmen Alvarez (f/k/a Carmen Wun), and Pura Germosen

DEFENDANTS

Premier Home Health Care Services, Inc. a/k/a Premier Home Health Care, Inc.

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
The Dugger Law Firm, PLLC 154 Grand, New York, New York 10013, (646) 560-3208 and Shulman Kessler LLP, 534 Broadhollow Road Suite #275, Melville, New York 11747, (631) 499-9100

ATTORNEYS (IF KNOWN)

Putney, Twombly, Hall & Hirson LLP, 521 Fifth Avenue New York, NY 10175 (212) 682-0020

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Claim for payment of wages pursuant to the Fair Labor Standards Act of 1938 ("FLSA"), 29 U.S.C. § 201 et seq.

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

| TORTS | | ACTIONS UNDER STATUTES | | | |
|-----------------------|-------------------------------|------------------------------|---|----------------------------------|------------------------------|
| CONTRACT | PERSONAL INJURY | PERSONAL INJURY | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES |
| [] 110 INSURANCE | [] 310 AIRPLANE | [] 367 HEALTHCARE/ | [] 625 DRUG RELATED | [] 422 APPEAL | [] 375 FALSE CLAIMS |
| [] 120 MARINE | [] 315 AIRPLANE PRODUCT | PHARMACEUTICAL PERSONAL | INJURY/PRODUCT LIABILITY | 28 USC 158 | [] 376 QUI TAM |
| [] 130 MILLER ACT | LIABILITY | [] 365 PERSONAL INJURY | SEIZURE OF PROPERTY | [] 423 WITHDRAWAL | [] 400 STATE |
| [] 140 NEGOTIABLE | [] 320 ASSAULT, LIBEL & | PRODUCT LIABILITY | 21 USC 881 | 28 USC 157 | REAPPORTIONMENT |
| | SLANDER | [] 368 ASBESTOS PERSONAL | [] 690 OTHER | | [] 410 ANTITRUST |
| [] 150 RECOVERY OF | [] 330 FEDERAL | INJURY PRODUCT | | | [] 430 BANKS & BANKING |
| OVERPAYMENT & | EMPLOYERS' | LIABILITY | | | [] 450 COMMERCE |
| ENFORCEMENT | LIABILITY | | PROPERTY RIGHTS | | [] 460 DEPORTATION |
| OF JUDGMENT | [] 340 MARINE | PERSONAL PROPERTY | [] 820 COPYRIGHTS | | [] 470 RACKETEER INFLU- |
| [] 151 MEDICARE ACT | [] 345 MARINE PRODUCT | [] 370 OTHER FRAUD | [] 830 PATENT | | ENCED & CORRUPT |
| [] 152 RECOVERY OF | LIABILITY | [] 371 TRUTH IN LENDING | [] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION | | ORGANIZATION ACT |
| DEFAULTED | [] 350 MOTOR VEHICLE | | [] 840 TRADEMARK | | (RICO) |
| STUDENT LOANS | [] 355 MOTOR VEHICLE | | | SOCIAL SECURITY | [] 480 CONSUMER CREDIT |
| (EXCL VETERANS) | PRODUCT LIABILITY | | | | [] 490 CABLE/SATELLITE TV |
| [] 153 RECOVERY OF | [] 360 OTHER PERSONAL | [] 380 OTHER PERSONAL | LABOR | [] 861 HIA (1395ff) | [] 850 SECURITIES/ |
| OVERPAYMENT | INJURY | PROPERTY DAMAGE | [] 710 FAIR LABOR | [] 862 BLACK LUNG (923) | COMMODITIES/ |
| OF VETERAN'S | [] 362 PERSONAL INJURY - | PRODUCT LIABILITY | STANDARDS ACT | [] 863 DIWC/DIWW (405(g)) | EXCHANGE |
| BENEFITS | MED MALPRACTICE | | [] 720 LABOR/MGMT | [] 864 SSID TITLE XVI | |
| [] 160 STOCKHOLDERS | | PRISONER PETITIONS | RELATIONS | [] 865 RSI (405(g)) | [] 890 OTHER STATUTORY |
| SUITS | | [] 463 ALIEN DETAINEE | [] 740 RAILWAY LABOR ACT | | ACTIONS |
| [] 190 OTHER | ACTIONS UNDER STATUTES | [] 510 MOTIONS TO | [] 751 FAMILY MEDICAL | FEDERAL TAX SUITS | [] 891 AGRICULTURAL ACTS |
| CONTRACT | CIVIL RIGHTS | VACATE SENTENCE | LEAVE ACT (FMLA) | [] 870 TAXES (U.S. Plaintiff or | |
| CONTRACT | | 28 USC 2255 | [] 790 OTHER LABOR | Defendant) | [] 893 ENVIRONMENTAL |
| PRODUCT | [] 440 OTHER CIVIL RIGHTS | [] 530 HABEAS CORPUS | LITIGATION | [] 871 IRS-THIRD PARTY | MATTERS |
| LIABILITY | (Non-Prisoner) | [] 535 DEATH PENALTY | [] 791 EMPL RET INC | 26 USC 7609 | [] 895 FREEDOM OF |
| [] 196 FRANCHISE | | [] 540 MANDAMUS & OTHER | SECURITY ACT (ERISA) | | INFORMATION ACT |
| | [] 441 VOTING | PRISONER CIVIL RIGHTS | IMMIGRATION | | [] 896 ARBITRATION |
| REAL PROPERTY | [] 442 EMPLOYMENT | [] 550 CIVIL RIGHTS | [] 462 NATURALIZATION | | [] 899 ADMINISTRATIVE |
| [] 210 LAND | [] 443 HOUSING/ | [] 555 PRISON CONDITION | APPLICATION | | PROCEDURE ACT/REVIEW OR |
| CONDEMNATION | ACCOMMODATIONS | [] 560 CIVIL DETAINEE | [] 465 OTHER IMMIGRATION | | APPEAL OF AGENCY DECISION |
| [] 220 FORECLOSURE | [] 445 AMERICANS WITH | CONDITIONS OF CONFINEMENT | ACTIONS | | [] 950 CONSTITUTIONALITY OF |
| [] 230 RENT LEASE & | DISABILITIES - | | | | STATE STATUTES |
| EJECTMENT | EMPLOYMENT | | | | |
| [] 240 TORTS TO LAND | [] 446 AMERICANS WITH | | | | |
| TORT PRODUCT | DISABILITIES -OTHER | | | | |
| LIABILITY | [] 448 EDUCATION | | | | |
| [] 245 ALL OTHER | | | | | |
| [] 290 REAL PROPERTY | | | | | |

Check if demanded in complaint:

☒ CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: ☒ YES ☐ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN *x* IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation (Transferred)
 ☐ 7 Appeal to District Judge from Magistrate Judge
 ☐ 8 Multidistrict Litigation (Direct File)
- ☐ a. all parties represented
☐ b. At least one party is pro se.

(PLACE AN *x* IN ONE BOX ONLY)

BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
 ☒ 3 FEDERAL QUESTION
 ☐ 4 DIVERSITY
- (U.S. NOT A PARTY)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

| | | | | | | |
|--------------------------|--------------|--------------|---|------------------------|---|------------------------|
| CITIZEN OF THIS STATE | PTF [] 1 | DEF [] 1 | CITIZEN OR SUBJECT OF A FOREIGN COUNTRY | PTF DEF [] 3 [] 3 | INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE | PTF DEF [] 5 [] 5 |
| CITIZEN OF ANOTHER STATE | [] 2 | [] 2 | INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE | [] 4 [] 4 | FOREIGN NATION | [] 6 [] 6 |

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

c/o The Dugger Law Firm, PLLC
 154 Grand, New York, New York 10013

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Premier Home Health Care Services, Inc. a/k/a Premier Home Health Care, Inc.
 445 Hamilton Avenue 10th Fl. White Plains, New York 10601

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN

DATE 11/22/2017 SIGNATURE OF ATTORNEY OF RECORD

RECEIPT # 0208-14384979

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

☒ YES (DATE ADMITTED Mo.⁸ _____ Yr. 2011 _____)
 Attorney Bar Code # CD7891

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

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